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| TO: Mail Stop 8 Director of the U.S. Patent and Trademark Office P.O. Box 1450 Alexandria, VA 22313-1450 | REPORT ON THE FILING OR DETERMINATION OF AN ACTION REGARDING A PATENT OR TRADEMARK |
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In Compliance with 35 U.S.C. § 290 and/or 15 U.S.C. § 1116 you are hereby advised that a court action has been
 filed in the U.S. District Court Delaware on the following ☒ Patents or ☐ Trademarks:

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|---|--------------------------------|---|
| DOCKET NO. 08cv336 | DATE FILED 6/5/08 | U.S. DISTRICT COURT DISTRICT OF DELAWARE |
| PLAINTIFF Forest Laboratories Inc., et al. | | DEFENDANT Apotex Inc., et al. |
| PATENT OR TRADEMARK NO. | DATE OF PATENT OR TRADEMARK | HOLDER OF PATENT OR TRADEMARK |
| 1 5,061,703 | 10/29/91 | Merz & Co. GmbH & Co. |
| 2 US 5,061,703 C1 | 11/7/06 | Merz Pharma GmbH & Co. KGaA |
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In the above—entitled case, the following patent(s)/ trademark(s) have been included:

| | | |
|----------------------------|---|-------------------------------|
| DATE INCLUDED | INCLUDED BY <input type="checkbox"/> Amendment <input type="checkbox"/> Answer <input type="checkbox"/> Cross Bill <input type="checkbox"/> Other Pleading | |
| PATENT OR TRADEMARK NO. | DATE OF PATENT OR TRADEMARK | HOLDER OF PATENT OR TRADEMARK |
| 1 | | |
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In the above—entitled case, the following decision has been rendered or judgement issued:

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| DECISION/JUDGEMENT |
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| CLERK PETER T. DALLEO, CLERK OF COURT | (BY) DEPUTY CLERK | DATE June 6, 2008 |
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Copy 1—Upon initiation of action, mail this copy to Director Copy 3—Upon termination of action, mail this copy to Director
 Copy 2—Upon filing document adding patent(s), mail this copy to Director Copy 4—Case file copy